

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan for Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM.

Investigation 02-04-026  
(Filed April 22, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING  
DISPOSING OF LIMITED INFORMATION  
DUE FROM RESPONDENT**

By Ruling dated March 6, 2003, the proceeding was reopened to allow an opportunity for further information to be provided for the record. The information included, but was not limited to, Pacific Gas and Electric Company (respondent) filing and serving a document which stated the amount of cash on hand assumed available and used to fund respondent's Modified Plan of Reorganization (POR) dated February 24, 2003. The information was sought in relation to a recommendation that the Commission immediately reduce respondent's rates. (See Exhibit 2; also see Ruling dated March 18, 2003.) Four requests for extension of time to provide the response were made and granted, with the response finally due by July 7, 2003. No response has been filed.

On or about June 24, 2003, respondent filed a proposed "Settlement Agreement Under Chapter 22 of the Bankruptcy Code for Pacific Gas and

Electric Company.” On or about July 1, 2003, respondent filed a “Settlement Plan of Reorganization and Disclosure Statement Under Chapter 11 of the Bankruptcy Code.” The Settlement Plan will govern respondent’s reorganization if ultimately approved or adopted by the Commission, respondent’s Board of Directors, the Board of Directors of Pacific Gas and Electric Corporation, and Bankruptcy Court.<sup>1</sup>

The Settlement Plan supersedes respondent’s February 24, 2003 Modified POR. As a result, there is no need for respondent to provide cash on hand information regarding its February 24, 2003 Modified POR. If any party wishes further consideration of the recommendation for an immediate rate reduction, that party should renew the request with reference to current data (e.g., in proposed testimony due on or about August 29, 2003, or in another appropriate pleading).

**IT IS RULED** that the requirement in the March 6, 2003 Ruling for Pacific Gas and Electric Company (respondent) to provide a document stating the assumed cash on hand in respondent’s February 24, 2003 Modified Plan of Reorganization is vacated.

Dated July 14, 2003, at San Francisco, California.

/s/ BURTON W. MATTSON  
Burton W. Mattson  
Administrative Law Judge

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<sup>1</sup> See Settlement Agreement at item 37, and “Key Provisions of CPUC-PG&E Proposed Settlement” at page 1 (<http://www.cpuc.ca.gov/PUBLISHED/REPORT/27311.htm>).

**CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail on those with electronic mail addresses, this day served a true copy of the original attached Administrative Law Judge's Ruling Disposing of Limited Information Due from Respondent on all parties of record in this proceeding or their attorneys of record.

Dated July 14, 2003, at San Francisco, California.

/s/ ELIZABETH LEWIS

Elizabeth Lewis

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.